

PATENT
Attorney Docket No. 101.0089-02000
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Gary K. Michelson)
Serial No.: 10/736,866)
Filed: December 16, 2003)
For: BONE HEMI-LUMBAR INTERBODY)
SPINAL FUSION IMPLANT HAVING)
AN ASYMMETRICAL LEADING)
END AND METHOD OF)
INSTALLATION THEREOF)

Confirmation No.: 9083
Group Art Unit: 3732
Examiner: Eduardo Robert

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Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PETITION TO WITHDRAW FROM ISSUE UNDER 37 C.F.R. § 1.313(C)(2)

Applicant hereby petitions for the withdrawal of this application from issue. The issue fee for this case was paid on March 3, 2005.

The reason for the request for withdrawal from issue is to permit consideration of a Request for Continued Examination (RCE) in compliance with 37 CFR § 1.114.

The petition fee in the amount of \$130.00 (37 C.F.R. § 1.17(h)) is submitted herewith. If there are any additional fees due in connection with the filing of this Petition, please charge the fee to our Deposit Account 50-1068.

Respectfully submitted,

MARTIN & FERRARO LLP

Date: June 9, 2005

By:


Amedeo F. Ferraro

Registration No. 37,129

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